

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN J. TAURO,

Plaintiff,

v.

CONVERGENT OUTSOURCING, INC.,

Defendant.

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Civil Action No. 14-761

**MEMORANDUM ORDER**

AND NOW, this 24<sup>th</sup> day of July, upon consideration of Magistrate Judge Cynthia Reed Eddy's Order Granting Motion to Stay, (Docket No. [9]), Magistrate Judge Eddy's Text Order dated July 8, 2014 Denying as Moot Plaintiff's Motion for Summary Judgment, Plaintiff's Motion to Vacate Order on Motion for Summary Judgment, (Docket No. [13]), and Defendant's Response, (Docket No. [14]),

IT IS HEREBY ORDERED that Plaintiff's Motion [13] is DENIED. To the extent that Plaintiff objects to the Magistrate Judge's Order Granting Motion to Stay pursuant to Local Rule 72.C.2, Plaintiff's Objections are OVERRULED. Pursuant to 28 U.S.C. § 636(b)(1), "[n]otwithstanding any provision of law to the contrary—(A) a judge may designate a magistrate judge to hear and determine any pretrial matter pending before the court, except a motion for injunctive relief, for judgment on the pleadings, for summary judgment, to dismiss or quash an indictment or information made by the defendant, to suppress evidence in a criminal case, to dismiss or to permit maintenance of a class action, to dismiss for failure to state a claim upon which relief can be granted, and to involuntarily dismiss an action." Consistent with same, pursuant to Local Rule 72.C.1, "a Magistrate Judge may hear and determine any pretrial motion or other pretrial matter, other than those motions specified in Rule 4 of the Rules Governing Section

2254 and Section 2255 Proceedings.” Therefore, this Court appropriately designated the Magistrate Judge to hear and determine pretrial matters in this case, including Defendant’s Motion to Stay, (Docket No. 7).

IT IS FURTHER ORDERED that:

1. The Magistrate Judge’s Order dated July 8, 2014, (Docket No. 9), is AFFIRMED.

The Court finds that a stay, pending resolution of the transfer of this case by the Judicial Panel on Multidistrict Litigation to the United States District Court for the District of Connecticut for coordinated and consolidated pretrial proceedings as part of MDL No. 2478, is warranted, after de novo review of the Magistrate Judge’s Order dated July 8, 2014, all the parties’ filings, and the supplemental materials filed of record. (Docket No. 9). Accordingly, this case shall remain stayed until further Order of Court.

2. The Magistrate Judge’s Text Order dated July 8, 2014 Denying as Moot Plaintiff’s Motion for Summary Judgment is AFFIRMED, as this case is stayed until further Order of Court.

IT IS FINALLY ORDERED that Defendant shall notify the Court within five (5) days following Defendant’s receipt of a decision regarding transfer from the MDL Panel, as previously ordered by the Magistrate Judge. (Docket No. 9).

*s/Nora Barry Fischer*  
Nora Barry Fischer  
United States District Judge

cc: Plaintiff and all registered counsel  
Via CM/ECF